

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION

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KELLY O. PHILLIPS, #147 985

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Plaintiff,

\*

v.

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2:07-CV-619-MEF

ELMORE COUNTY CORRECTIONAL  
FACILITY, *et al.*,

\*

\*

Defendants.

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**ORDER**

Upon review of the file in this case, and for good cause, it is

ORDERED that on or before August 14, 2007 Plaintiff shall show cause why this case should not be dismissed for his failure to pay the initial partial filing fee in compliance with the order entered on July 6, 2007. ( Doc. No. 4.) In filing his response, Plaintiff shall advise the court of whether he authorized prison officials to withdraw funds from his prison account for payment of the initial partial filing fee, whether he has simply chosen not to submit the filing fee, or whether he is unable to comply at this time with the order directing payment of an initial partial filing fee. If Plaintiff does not wish to continue with this cause of action, he shall so advise the court and file a motion to dismiss.

Plaintiff is cautioned that his failure to file a response to this order will result in a Recommendation that this case be dismissed.

Done, this 31<sup>st</sup> day of July 2007.

/s/ Susan Russ Walker  
SUSAN RUSS WALKER  
UNITED STATES MAGISTRATE JUDGE